THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23144 of 2006

Between:

Burra Bondaiah.

.. PETITIONER

and

The Sub-Inspector of Police,
Bhoopalpalli Police Station and others.

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RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23144 of 2006

ORDER:

The petitioner seeks to issue a Writ of Mandamus declaring the action of official respondents 1 and 2 in not taking steps against the unofficial respondents 3 to 6 for preventing them from interfering with the land of the petitioner to an extent of Ac.1-25 gts. in Sy.No.319 situated at Bhoopalpalli Village and Mandal, Warangal District.

It is stated that the petitioner obtained an injunction in I.A.No.544 of 2006 in O.S.No.275 of 2004 on 15-07-2004 on the file of II Additional Senior Civil Judge, Warangal, against unofficial respondents, but the official respondents are not extending any police protection to protect the said land.

A counter has been filed stating that in fact prior to obtaining injunction order in I.A.No.544 of 2006 in O.S.No.275 of 2004, the petitioner filed a suit O.S.No.58 of 2001 on the file of Junior Civil Judge, Parkal against the Singareni Collieries Company Limited seeking permanent injunction over the land in question but the same was dismissed on 31-10-2006. It is stated that without disclosing about filing of the earlier suit, the injunction order has been obtained against unofficial respondents. It is further stated that in fact the petitioner has not approached the official respondents seeking police protection. It is also stated that if there is any threat or illegal interference by the unofficial respondents, the respondents are always ready and willing to provide necessary police protection as and when the petitioner approaches the official respondents.

It is stated that in fact the civil suit O.S.No.275 of 2004 was finally decreed on 20-01-2005.

Anyhow, the 1st respondent filed counter stating that whenever the petitioner makes a representation apprehending threat or illegal

interference by the unofficial respondents, they are ready and willing to provide necessary police protection.

Accordingly, the writ petition is disposed of directing respondents 1 and 2 to consider and dispose of the representation, if any filed by the petitioner seeking necessary police protection about the alleged illegal interference by the unofficial respondents, in accordance with law. There shall be no order as to costs.

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12-06-2007

Prv